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12. Anglers must attend all fishing lines.
13. Anglers may take the following species: Chain pickerel, catfish, golden shiner, eel, and sunfish (includes bluegill, black crappie, warmouth, and pumpkinseed). Maryland State daily harvest limits apply unless otherwise noted.
 - i. All bluegill taken must be 6 inches (15 cm) or larger.
 - ii. We allow take of one chain pickerel per day.
 - iii. Anglers must release all bass that they catch.
14. We prohibit fishing from all bridges except the downstream side of Bailey Bridge.
15. North Tract: We allow sport fishing in accordance with the following regulations:
 - i. Conditions D1 through D14 apply.
 - ii. We allow sport fishing year-round at Lake Allen, Rieve's Pond, New Marsh, Cat-tail Pond, and Little Patuxent River (down-stream only from Bailey's Bridge) except Mondays through Saturdays from September 1 through January 31 during the hunting season. We also reserve the right to close Lake Allen at any time.
 - iii. Anglers age 18 and older must complete an Emergency Contact Information/warning/waiver form (PRR Fishing Form #1) prior to receiving a free North Tract Vehicle Access Pass. Anglers must display the North Tract Vehicle Access Pass in the vehicle windshield at all times and return the Pass to the North Tract Visitor Contact Station at the end of each visit.
 - iv. We prohibit the use of any type of watercraft.
16. South Tract: We allow sport fishing in accordance with the following regulations:
 - i. Conditions D1 through D13 apply.
 - ii. Anglers must park their vehicles in the parking lot located behind Refuge Gate #8 off MD Rt. 197. Anglers may not access Cash Lake from the National Wildlife Visitor Center.
 - iii. We allow sport fishing at the pier and designated shorelines at Cash Lake. See Refuge Fishing Regulations for areas opened to fishing. We post other areas with, "No fishing beyond this point" signs.
 - iv. Anglers may fish from mid-June until mid-October, as posted.
 - v. We allow fishing between the hours of 6 a.m. and 8 p.m. June through August and between 7 a.m. and 6:30 p.m. in September and October.
 - vi. We prohibit the use of the public trails near Cash Lake after 4:30 p.m.
 - vii. Anglers may use watercraft for fishing in accordance with Maryland State boating laws subject to the additional following conditions:
 - a. You may use car-top boats that are 14 feet (4.2m) or less, canoes, kayaks, and inflatable boats.
 - b. You may use only electric motors that are 4 hp or less.

- c. We prohibit sailboats.
- d. Maryland State law requires personal flotation devices in boats.
- viii. We prohibit boat trailers except by individuals possessing a refuge handicapped permit.

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29075, May 18, 1993; 59 FR 6685, 6693, Feb. 11, 1994; 60 FR 62043, Dec. 4, 1995; 61 FR 46396, Sept. 3, 1996; 63 FR 46917, Sept. 3, 1998; 65 FR 30784, May 12, 2000; 69 FR 54362, 54412, Sept. 8, 2004; 70 FR 54174, Sept. 13, 2005; 73 FR 51160, Aug. 29, 2008; 74 FR 45690, Sept. 3, 2009; 74 FR 50737, Oct. 1, 2009; 76 FR 3976, Jan. 21, 2011; 76 FR 56075, Sept. 9, 2011; 77 FR 56045, Sept. 11, 2012]

§ 32.40 Massachusetts.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

ASSABET RIVER NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of woodcock on designated portions of the refuge in accordance with State regulations subject to the following conditions:

1. We allow woodcock hunting within the portions of the refuge located north of Hudson Road, except those areas north of Hudson Road that are designated as "archery only" hunting on the current refuge hunting map. These archery only hunting areas north of Hudson Road are those portions of the refuge that are external to Patrol Road from its southerly intersection with White Pond Road, northwesterly and then easterly, to its intersection with Old Marlborough Road.
2. We require a Migratory Bird Hunt Application (FWS Form 3-2357). We limit the number of migratory game bird hunters allowed to hunt on the refuge. If the number of applications received is greater than the number of permits available, we will issue permits by random selection.
3. You must possess and carry all applicable hunting licenses, permits, stamps, and a photographic identification while hunting on the refuge.
4. We prohibit use of motorized vehicles on the refuge. The refuge will provide designated parking areas for hunters. Hunters must display issued hunter parking permits (generated from the Migratory Bird Hunt Application, FWS Form 3-2357) on their dashboards when parked in designated refuge parking areas.
5. During any season when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters to wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head. During all other times, if you are engaged in

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woodcock hunting on the refuge, you must wear a minimum of a solid-orange hat.

6. We prohibit the use of electronic calls during any hunting season.

7. We prohibit trimming or cutting of branches larger than the diameter of a quarter (see § 27.61 of this chapter).

8. We prohibit marking any tree or other refuge feature with flagging, paint, or any other substance. Hunters may use reflective tacks, which we require hunters to remove by the end of their permitted season.

9. You may begin scouting hunting areas on Sundays only beginning 1 month prior to the opening day of your permitted season. We require possession of refuge permits (Migratory Bird Hunt Application, FWS Form 3-2357) while scouting.

10. We allow hunters to enter the refuge 1½ hours before legal hunting hours, and they must leave the refuge no later than 1½ hours after legal sunset.

11. For seasons wherein State regulations allow use of dogs, we allow no more than two dogs per hunting party. We prohibit the training of dogs on the refuge.

12. One nonhunting companion may accompany each permitted hunter. We prohibit nonhunting companions from hunting, but they may assist in other means. All companions must carry identification and stay close enough to the hunter to speak to them without raising their voice.

13. We prohibit construction or use of any permanent structure while hunting on the refuge. Hunters must remove all temporary blinds each day (see §§ 27.93 and 27.94 of this chapter).

B. Upland Game Hunting. We allow hunting of upland game on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow shotgun hunting for ruffed grouse, cottontail rabbit, and gray squirrel within those portions of the refuge located north of Hudson Road, except those areas north of Hudson Road designated as “archery only” hunting on the current refuge hunting map. These archery only hunting areas north of Hudson Road are those portions of the refuge that are external to Patrol Road from its southern intersection with White Pond Road, northwest and then east, to its intersection with Old Marlborough Road.

2. We require a Big/Upland Game Hunt Application (FWS Form 3-2356). We limit the number of upland game hunters allowed to hunt on the refuge. If the number of applications received is greater than the number of permits available, we will issue permits by random selection.

3. Conditions A3, A4, A6 through A13 apply.

4. You may possess only approved nontoxic shot while in the field (see § 32.2(k)).

5. During seasons when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters, including archers and

small game hunters, to wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head. During all other times, if you are hunting ruffed grouse, squirrel, or cottontail rabbit on the refuge, you must wear a minimum of a solid-orange hat.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow shotgun and muzzleloader hunting of white-tailed deer, as well as shotgun hunting of turkey, within the portions of the refuge located north of Hudson Road, except those areas north of Hudson Road that are designated as “archery only” hunting on the current refuge hunting map. These archery only hunting areas north of Hudson Road are those portions of the refuge that are external to Patrol Road from its southerly intersection with White Pond Road, northwesterly and then easterly, to its intersection with Old Marlborough Road.

2. We allow archery deer and archery turkey hunting within all portions of the refuge during the hunting seasons for these species.

3. We require refuge permits. We limit the numbers of deer and turkey hunters allowed to hunt on the refuge. If the number of applications to hunt these species received is greater than the number of permits available, we will issue permits by random selection.

4. We require a Big/Upland Game Hunt Application (FWS Form 3-2356). We limit the number of big game hunters allowed to hunt on the refuge. If the number of applications received is greater than the number of permits available, we will issue permits by random selection.

5. Conditions A3, A4, A6 through A10, and A12 apply.

6. During seasons when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters, including archers, to wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head.

7. You may use decoys to hunt turkey.

8. We prohibit driving deer by any means on the refuge.

9. We prohibit construction or use of permanent structures while hunting. We prohibit driving a nail, spike, screw, or other metal object into any tree or hunting from any tree into which a nail, spike, screw, or other object has been driven (see § 32.2(i)).

10. You may use temporary tree stands and/or ground blinds while engaged in hunting deer during the applicable archery, shotgun, or muzzleloader deer seasons or while hunting turkey. We allow hunters to keep one tree stand or ground blind on each refuge

during the permitted season. Hunters must mark ground blinds with the hunter's permit number. Hunters must mark tree stands with the hunter's permit number in such a fashion that all numbers are visible from the ground. Hunters must remove all temporary tree stands and ground blinds by the 15th day after the end of the hunter's permitted season.

D. Sport Fishing. We allow sport fishing in Puffer Pond in accordance with State regulations subject to the following conditions:

1. We allow fishing from nonmotorized canoes and car-top boats, as well as from designated locations on the banks of Puffer Pond. We prohibit the use of trailers to launch or retrieve canoes or boats on the refuge.
2. We allow catch and release fishing only.
3. We prohibit the use of live bait.
4. We prohibit lead sinkers.
5. We prohibit taking of frogs or turtles on the refuge (see §27.21 of this chapter).
6. We allow fishing on Puffer Pond from legal sunrise to legal sunset.
7. We prohibit ice fishing on the refuge.
8. We prohibit open fires anywhere on the refuge.

GREAT MEADOWS NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of ducks and geese on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require refuge permits (information taken from OMB-approved form). We limit the number of waterfowl hunters allowed to hunt on the refuge. If the number of applications received to hunt waterfowl is greater than the number of permits available, we will issue permits by random selection.
2. We will provide waterfowl hunters maps showing the portions of the refuge designated as open.
3. You must possess and carry all applicable hunting licenses, permits, stamps, and a photographic identification while hunting on the refuge.
4. We prohibit construction or use of any permanent structure while hunting on the refuge. You must remove all temporary blinds each day (see §§27.93 and 27.94 of this chapter).
5. We prohibit use of motorized vehicles on the refuge. The refuge will provide designated parking areas for hunters. Hunters must display parking permits (information taken from OMB-approved forms) on the dashboard when parked in designated refuge parking areas.
6. Except while hunting waterfowl from a blind or from a boat, you must wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on your chest, back, and

head during any season when it is legal to hunt deer with a shotgun or muzzleloader.

7. We prohibit the use of electronic calls during any hunting season.

8. We prohibit trimming or cutting of branches larger than the diameter of a quarter (see §27.61 of this chapter).

9. We prohibit marking any tree or other refuge feature with flagging, paint, or any other substance. Hunters may use reflective tacks which they must remove by the end of the hunter's permitted season (see §27.93 of this chapter).

10. You may begin scouting hunting areas on Sundays only beginning 1 month prior to the opening day of your permitted season. We require possession of refuge permits (information taken from OMB-approved forms) while scouting. We prohibit the use of dogs during scouting.

11. We allow hunters to enter the refuge 1½ hours before legal hunting hours, and they must leave the refuge no later than 1½ hours after legal sunset.

12. We allow no more than two dogs per hunting party. We prohibit the training of dogs on the refuge.

13. We allow one nonhunting companion to accompany each permitted hunter. We prohibit nonhunting companions from hunting, but they can assist in other means. All companions must carry identification and stay close enough to the hunter to speak to them without raising their voice.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow archery hunting of whitetail deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow archery hunting of whitetail deer within the portions of the Concord Unit of the refuge that are located north of Massachusetts Route 225. We also allow archery hunting of whitetail deer within the portions of the Sudbury Unit of the refuge that are located north of Stonebridge Road in Wayland, Massachusetts and south of Lincoln Road/Sherman's Bridge Road on the Sudbury and Wayland Town Line.

2. We prohibit the use of firearms for hunting deer on the refuge. However, you may archery hunt in the portions of the refuge that are open for deer hunting during the archery, shotgun, and muzzleloader seasons established by the State.

3. We require refuge permits (information taken from OMB-approved forms). We limit the number of deer hunters allowed to hunt on the refuge. If the number of applications received to hunt deer on the refuge is greater than the number of permits available, we will issue permits by random selection.

4. Conditions A3, A5, A7 through A11, and A13 apply.

5. During seasons when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters, including archers, to wear

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a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head.

6. We prohibit the use of decoys to hunt deer on the refuge.

7. We prohibit driving deer by any means on the refuge.

8. We prohibit construction or use of permanent structures while hunting. We prohibit driving nails, spikes, screws, or other metal object into any tree or hunting from any tree in which a nail, spike, screw, or other object has been driven (see §32.2(i)).

9. You may use temporary tree stands and/or ground blinds while engaged in hunting deer during the applicable archery season. We allow hunters to keep one tree stand or ground blind on each refuge during the permitted season. Hunters must mark ground blinds with their permit number. Hunters must mark tree stands with their permit number in such a fashion that all numbers are visible from the ground. Hunters must remove all temporary tree stands and ground blinds by the 15th day after the end of the permitted deer season (see §27.93 of this chapter).

D. Sport Fishing. We allow sport fishing in designated areas of the refuge in accordance with State regulations subject to the following condition: We allow fishing along the main channels of the Concord and Sudbury Rivers and from designated banks of Heard Pond. We limit access to Heard Pond to foot traffic only.

MONOMOY NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow fishing in designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow fishing on the portions of the Monomoy Islands that we do not post as closed to public use from legal sunrise to legal sunset.

2. We allow surf fishing from the Morris Island shore 24 hours a day.

NANTUCKET NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow fishing in accordance with State regulations subject to the following conditions:

1. We close the western refuge shoreline and beach area to surf fishing during the period of April 15 through July 31 annually, and you may not operate a vehicle on the west-facing beach and shoreline (see §27.31 of this chapter). We only allow surf fishing on

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the northeast-facing shoreline during this period of time.

2. We may close the northeast-facing shoreline and beach if piping plover nesting is occurring in this portion of the refuge.

3. We require a permit for the use of over-the-sand, surf-fishing vehicles.

4. If we do not otherwise close an area because of these conditions, we allow fishing 24 hours a day.

OXBOW NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Game Birds. We allow hunting of waterfowl, woodcock, and common snipe on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow waterfowl and common snipe hunting within the portions of the refuge located south of Massachusetts Route 2 and west of the B&M railroad tracks.

2. We allow woodcock hunting within the portions of the refuge south of Massachusetts Route 2 and west of the B&M railroad tracks; north of Massachusetts Route 2 and south of Hospital Road; as well as within the portions of the refuge along the westerly side of the Nashua River located north of the commuter rail tracks in Shirley, Massachusetts.

3. We require refuge permits (information taken from OMB-approved forms). We limit the number of waterfowl hunters allowed to hunt on the refuge. If the number of applications received to hunt waterfowl is greater than the number of permits available, we will issue permits by random selection.

4. You must possess and carry all applicable hunting licenses, permits, stamps, and a photographic identification while hunting on the refuge.

5. We prohibit construction or use of any permanent structure while hunting on the refuge. You must remove all temporary blinds each day (see §§27.93 and 27.94 of this chapter).

6. We prohibit use of motorized vehicles on the refuge. The refuge will provide designated parking areas for hunters. Hunters must display issued hunter parking permits (information taken from OMB-approved forms) on the dashboard when parked in designated refuge parking areas.

7. With the exception of waterfowl hunters hunting within a blind or from a boat, during any season when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters to wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head. During all other times, if you are engaged in woodcock hunting on the refuge, you must wear a minimum of a solid-orange hat.

8. We prohibit the use of electronic calls during any hunting season.

9. We prohibit trimming or cutting of branches larger than the diameter of a quarter (see §27.51 of this chapter).

10. We prohibit marking any tree or other refuge feature with flagging, paint, or any other substance. Hunters may use reflective tacks and must remove them by the end of the hunter's permitted season (see §27.93 of this chapter).

11. You may begin scouting hunting areas on Sundays only beginning 1 month prior to the opening day of your permitted season. We require possession of refuge permits while scouting. We prohibit the use of dogs during scouting.

12. We allow hunters to enter the refuge 1½ hours before legal hunting hours, and they must leave the refuge no later than 1½ hours after legal sunset.

13. For seasons wherein State regulations allow use of dogs, we allow no more than two dogs per hunting party. We prohibit the training of dogs on the refuge.

14. One nonhunting companion may accompany each permitted hunter. We prohibit nonhunting companions from hunting, but they can assist in other means. All companions must carry identification and stay close enough to the hunter to speak to them without raising their voice.

B. Upland Game Hunting. We allow upland game hunting on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow shotgun hunting of ruffed grouse, cottontail rabbit, and gray squirrels within the areas of the refuge located south of Massachusetts Route 2 and west of the B&M railroad tracks; north of Massachusetts Route 2 and south of Hospital Road; and, within the portions of the refuge along the westerly side of the Nashua River located north of the commuter rail tracks in Shirley, Massachusetts, subject to the following conditions:

2. We require a Big/Upland Game Hunt Application (FWS Form 3-2356). We limit the number of upland game hunters allowed to hunt on the refuge. If the number of applications received to hunt upland game is greater than the number of permits available, we will issue permits by random selection.

3. You may possess only approved nontoxic shot while in the field (see §32.2(k)).

4. Conditions A4 through A6 and A8 through A14 apply.

5. With the exception of waterfowl hunters hunting within a blind or from a boat, during seasons when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters, including archers and small game hunters, to wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head. During all other times, if you are engaged in ruffed grouse, squirrel, or cottontail rabbit hunting on the

refuge, you must wear a minimum of a solid-orange hat.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow shotgun, archery, and muzzleloader hunting of white-tailed deer, as well as shotgun and archery hunting of turkey, within the portions of the refuge located south of Massachusetts Route 2 and west of the B&M railroad tracks.

2. We allow archery deer and archery turkey hunting within the portions of the refuge located south of Massachusetts Route 2 and east of the B&M railroad tracks, as well as within the portions of the refuge along the easterly side of the Nashua River located north of the commuter rail tracks in Ayer, Massachusetts.

3. We allow archery deer hunting as well as shotgun and archery turkey hunting within the portions of the refuge located north of Massachusetts Route 2 and south of Hospital Road; and, within the portions of the refuge along the westerly side of the Nashua River located north of the commuter rail tracks in Shirley, MA.

4. We require refuge permits (information taken from OMB-approved form). We limit the number of deer and turkey hunters allowed to hunt on the refuge. If the number of applications received to hunt those species is greater than the number of permits available, we will issue permits by random selection.

5. Conditions A4, A6, A8 through A12, and A14 apply.

6. With the exception of waterfowl hunters hunting within a blind or from a boat, during seasons when it is legal to hunt deer with a shotgun or muzzleloader, we require all hunters, including archers, to wear a minimum of 500 square inches (3,250 cm²) of solid-orange clothing or material in a conspicuous manner on their chest, back, and head.

7. Hunters may only use decoys to hunt turkey.

8. We prohibit driving deer by any means on the refuge.

9. We prohibit construction or use of permanent structures while hunting. You may not drive nails, spikes, screws or other metal object into any tree or hunt from any tree in which a nail, spike, screw or other object has been driven (see §32.2(i)).

10. You may use temporary tree stands and/or ground blinds while engaged in hunting deer during the applicable archery, shotgun, or muzzleloader deer seasons or while hunting turkey. We allow hunters to keep one tree stand or ground blind on each refuge during the permitted season. Hunters must mark ground blinds with their permit number. Hunters must mark tree stands with

their permit number in such a fashion that all numbers are visible from the ground. Hunters must remove all temporary tree stands and ground blinds by the 15th day after the end of the permitted season.

D. Sport Fishing. We allow sport fishing along the Nashua River in accordance with State regulations.

PARKER RIVER NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. Hunting of waterfowl and coots is permitted on designated areas of the refuge subject to the following conditions:

1. Hunters may not use or possess more than 25 shells per day.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the Plum Island portion of the refuge in accordance with State hunting regulations. You may hunt deer on designated day(s) during the regular State shotgun season subject to the following conditions:

1. All hunters, regardless of age, must possess and carry a refuge permit (Quota Deer Hunt Application, FWS Form 3-2354). This is a quota hunt, and we will randomly select a limited number of hunters from those that apply. You may apply by mail from September 1 until October 1.

2. If selected from the random drawing, you must attend a refuge-specific hunter orientation session prior to the hunt. We will charge a fee of participating hunters.

3. We only allow shotguns (slugs only) and shoulder-fired muzzleloaders (single projectile only) for our deer hunt.

4. We prohibit discharge of a firearm on or across the refuge road. You must unload hunting weapons when walking upon the refuge road.

5. You must check-in and out at the refuge entrance gatehouse.

6. We prohibit alcoholic beverages (See § 32.2(j)).

7. We prohibit hunting from the North Pool or Stage Island Observation towers.

8. We prohibit loaded hunting firearms (see § 27.42 of this chapter) on or within 150 feet (45 m) of the refuge road.

9. You must bring all deer to the refuge deer check station located at our Headquarters on the Plum Island Turnpike in Newburyport, Massachusetts.

10. We will only allow permitted refuge hunters or those individuals hunting at Sandy Point State Reservation at the southern end of Plum Island access to the refuge or Sandy Point on the day(s) of the deer hunt.

11. We prohibit vehicular travel (emergency excepted) on refuge roads from ½ hour before legal sunrise until 8:30 a.m. Refuge and Sandy Point State Reservation hunters may enter or reenter the refuge until 2:30 p.m. during the refuge deer hunt.

12. Parking regulations are subject to change and will be determined based on the number of permitted hunters and available hunt areas. We will provide this information in detail to all permitted hunters attending the required hunter-orientation session.

D. Sport Fishing. We allow saltwater fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow saltwater fishing on the ocean beach and the surrounding waters of the Broad Sound with the following conditions:

i. We prohibit fishing during closures.

ii. Anglers are subject to State licensing requirements and catch limits.

iii. We allow persons using refuge fishing areas access from legal sunrise to legal sunset without a refuge permit. They are, however, subject to entrance fee requirements.

iv. Nelson Island is open to fishing from legal sunrise to legal sunset, except during waterfowl seasons, or other closures. We limit access to the trail, and fishing within 100 feet (30 m) on either side of the trail at the shoreline of Broad Sound.

v. The south-facing shoreline of Stage Island is open to fishing when accessed from the shore from Sandy Point State Reservation. We allow access from the Sandy Point State Reservation, along the shoreline below mean high tide, to a point 250 feet (73 m) beyond the terminus, or most western point, of the Stage Island peninsula known as Ipswich Bluff.

2. We require a Fishing Application (Fishing/Shrimping/Crabbing Application, FWS Form 3-2358) and application fee, as well as an entrance fee for night fishing and for the use of over-the-sand, surf-fishing vehicles (ORVs) with the following conditions:

i. We prohibit fishing in closed areas.

ii. Anglers must enter the refuge through the entrance gate and arrive prior to legal sunset.

iii. We generally allow fishing after legal sunset with a permit (vehicle sticker issued by the refuge office) sometime in mid-July until October 31 of the same year. Those persons are subject to additional listed environmental and/or emergency conditions.

iv. We will issue persons wishing access to the refuge beach with ORVs a separate Fishing/Shrimping/Crabbing Application (FWS Form 3-2358), generally valid between September 1 and October 31 of the same year. Those persons are subject to additional listed permit conditions. We may restrict ORV

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use due to beach, weather, tide, and other conditions.

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29075, May 18, 1993; 59 FR 6693, Feb. 11, 1994; 59 FR 55186, Nov. 3, 1994; 60 FR 62043, Dec. 4, 1995; 61 FR 46396, Sept. 3, 1996; 63 FR 46917, Sept. 3, 1998; 65 FR 30785, May 12, 2000; 65 FR 56404, Sept. 18, 2000; 66 FR 46358, Sept. 4, 2001; 69 FR 54362, 54415, Sept. 8, 2004; 70 FR 54176, Sept. 13, 2005; 76 FR 56076, Sept. 9, 2011; 77 FR 56045, Sept. 11, 2012]

§ 32.41 Michigan.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

DETROIT RIVER INTERNATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of duck, goose, rail, gallinule, coot, woodcock, and snipe on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We prohibit cutting of woody vegetation (see § 27.51 of this chapter) on the refuge for blinds.
2. All blinds must be portable; and you must remove all of your blinds, boats, and decoys (see § 27.93 of this chapter) from the refuge each day.
3. We prohibit the construction or use of permanent blinds, stands, platforms, or scaffolds (see § 27.92 of this chapter).
4. You may possess only approved nontoxic shot (see § 32.2(k)) while in the field.
5. We allow refuge access from 1½ hours prior to legal sunrise until 1 hour after legal sunset.
6. We prohibit the use of paint, flagging, reflectors, tacks, or other human-made materials to mark trails or hunting locations (see § 27.93 of this chapter).
7. We allow the use of hunting dogs, provided the dog is under the immediate control of the hunter at all times.
8. You must park all vehicles in designated parking areas.
9. We prohibit camping.
10. We allow hunting of waterfowl only on the Plum Creek Bay Unit of the refuge in accordance with State regulations subject to the following conditions:
 - i. Conditions A1 through A7 and A9 apply.
 - ii. Access to this unit is by boat only.
11. We allow hunting of waterfowl only on the Brancheau Unit of the refuge in accordance with State regulations subject to the following conditions:
 1. You must obtain permits for this unit by entering the Michigan Department of Natural Resources daily drawing at the Point Mouillee State Game Area.

- ii. You must possess a valid permit for the date you are hunting in the Brancheau Unit.

- iii. Conditions A1, A2, A4, and A6 through A9 apply.

- iv. You must remain with 75 feet (22.5 m) of your assigned blind or numbered post. We allow an exception for unarmed (hunting weapons) retrieval of waterfowl.

- v. We prohibit boats. You may access all blinds or areas by walking.

- vi. You may possess a maximum of 18 shells per hunter containing only approved nontoxic shot (see § 32.2(k)).

- vii. We prohibit shot size larger than BBB.

B. Upland Game Hunting. We allow hunting of pheasant, squirrel, rabbit, fox, raccoon, and coyote on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A3, and A5 through A9 apply.

2. You may possess only approved nontoxic shot (see § 32.2(k)) while in the field with the following exception: while hunting fox, coyote, and raccoon in units where we allow it, hunters may use single-projectile shot such as bullets, slugs, or muzzleloader bullets containing lead. We prohibit the use of buckshot for any hunting on the refuge.

C. Big Game Hunting. We allow hunting of deer and turkey on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1 through A3, A5, A6, A8, and A9 apply.
2. We prohibit the distribution of bait or hunting with the aid of bait, salt, minerals, or other ingestible attractant (see § 32.2(h)).
3. For deer hunting, we allow only single-projectile shot. We prohibit the use of buckshot for any hunting on the refuge.
4. For turkey hunting, you must possess only approved nontoxic shot (see § 32.2(k)) while in the field.
5. We allow only portable tree stands for deer hunting.
6. We allow only one tree stand per hunter per refuge unit.
7. We do not require hunters to remove tree stands at the end of each day's hunt. However, we strictly enforce State rules on tree stands.

D. Sport Fishing. [Reserved]

HARBOR ISLAND NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer and black bear in accordance with State regulations.

D. Sport Fishing. [Reserved]

KIRTLAND'S WARBLER WILDLIFE MANAGEMENT AREA

A. Migratory Game Bird Hunting. Hunting is pursuant to State regulation.